

## Message Text

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PAGE 01 STATE 016212  
ORIGIN SCSE-00

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DRAFTED BY SCA:SCS:RBOYLAN:JS  
APPROVED BY SCA:SCS:AAGISE  
SCA/VO:JOLENIK (PHONE)  
SCA/PPT:ARMACKAY (PHONE)  
EUR/EX:JTULL (PHONE)  
EA/EX:HRMILLS (PHONE)  
ARA:MGT:RSGERSHENSON (PHONE)(SUBS  
AF/EX:GKRYZA (PHONE)  
NEA/EX: MR. WURTZ(PHONE)  
SCA:JWDEWITT (PHONE)

-----251617Z 038770 /53

O 251523Z JAN 77  
FM SECSTATE WASHDC  
TO ALL DIPLOMATIC AND CONSULAR POSTS IMMEDIATE

UNCLAS STATE 016212

INFORM CONSULS

E.O. 11652: N/A

TAGS: CGEN, CASC, CVIS, CPAS

SUBJECT: PARDON PROCLAMATION AND IMPLEMENTING ORDER

1. FOLLOWING IS TEXT OF PRESIDENT S PROCLAMATION AND EXECU-  
TIVE ORDER CONCERNING VIOLATIONS OF THE SELECTIVE SERVICE  
ACT BETWEEN 8/4/64 AND 3/28/73.

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2. PROCLAMATION 4483, 42 F.R. 4391 (JAN. 24, 1977)

"ACTING PURSUANT TO THE GRANT OF AUTHORITY IN ARTICLE II,  
SECTION 2, OF THE CONSTITUTION OF THE UNITED STATES, I,  
JIMMY CARTER, PRESIDENT OF THE UNITED STATES, DO HEREBY  
GRANT A FULL, COMPLETE AND UNCONDITIONAL PARDON TO: (1)  
ALL PERSONS WHO MAY HAVE COMMITTED ANY OFFENSE BETWEEN

AUGUST 4, 1964 AND MARCH 28, 1973 IN VIOLATION OF THE MILITARY SELECTIVE SERVICE ACT OR ANY RULE OR REGULATION PROMULGATED THEREUNDER: AND (2) ALL PERSONS HERETOFORE CONVICTED, IRRESPECTIVE OF THE DATE OF CONVICTION, OF ANY OFFENSE COMMITTED BETWEEN AUGUST 4, 1964 AND MARCH 28, 1973 IN VIOLATION OF THE MILITARY SELECTIVE SERVICE ACT, OR ANY RULE OR REGULATION PROMULGATED THEREUNDER, RESTORING TO THEM FULL POLITICAL, CIVIL AND OTHER RIGHTS.

"THIS PARDON DOES NOT APPLY TO THE FOLLOWING WHO ARE SPECIFICALLY EXCLUDED THEREFROM:

"(1) ALL PERSONS CONVICTED OF OR WHO MAY HAVE COMMITTED ANY OFFENSE IN VIOLATION OF THE MILITARY SELECTIVE SERVICE ACT, OR ANY RULE OR REGULATION PROMULGATED THEREUNDER, INVOLVING FORCE OR VIOLENCE; AND

"(2) ALL PERSONS CONVICTED OF OR WHO MAY HAVE COMMITTED ANY OFFENSE IN VIOLATION OF THE MILITARY SELECTIVE SERVICE ACT, OR ANY RULE OR REGULATION PROMULGATED THEREUNDER, IN CONNECTION WITH DUTIES OR RESPONSIBILITIES ARISING OUT OF EMPLOYMENT AS AGENTS, OFFICERS OR EMPLOYEES OF THE MILITARY SELECTIVE SERVICE SYSTEM.

"IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS 21ST DAY OF JANUARY, IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND SEVENTY-SEVEN, AND OF THE INDEPENDENCE OF THE UNITED STATES OF AMERICA THE TWO HUNDRED AND FIRST."

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3. EXECUTIVE ORDER 11967, 42 F.R. 4393 (JAN. 24, 1977)

"THE FOLLOWING ACTIONS SHALL BE TAKEN TO FACILITATE PRESIDENTIAL PROCLAMATION OF PARDON OF JANUARY 21, 1977:

"1. THE ATTORNEY GENERAL SHALL CAUSE TO BE DISMISSED WITH PREJUDICE TO THE GOVERNMENT ALL PENDING INDICTMENTS FOR VIOLATIONS OF THE MILITARY SELECTIVE SERVICE ACT ALLEGED TO HAVE OCCURRED BETWEEN AUGUST 4, 1964 AND MARCH 28, 1973 WITH THE EXCEPTION OF THE FOLLOWING:

"(A) THOSE CASES ALLEGING ACTS OF FORCE OR VIOLENCE DEEMED TO BE SO SERIOUS BY THE ATTORNEY GENERAL AS TO WARRANT CONTINUED PROSECUTION; AND

"(B) THOSE CASES ALLEGING ACTS IN VIOLATION OF THE MILITARY SELECTIVE SERVICE ACT BY AGENTS, EMPLOYEES OR OFFICERS OF THE SELECTIVE SERVICE SYSTEM ARISING OUT OF SUCH EMPLOYMENT.

"2. THE ATTORNEY GENERAL SHALL TERMINATE ALL INVESTIGATIONS NOW PENDING AND SHALL NOT INITIATE FURTHER INVESTIGATIONS ALLEGING VIOLATIONS OF THE MILITARY SELECTIVE SERVICE ACT BETWEEN AUGUST 4, 1964 AND MARCH 28, 1973, WITH THE EXCEPTION OF THE FOLLOWING:

"

"(A) THOSE CASES INVOLVING ALLEGATIONS OF FORCE OR VIOLENCE DEEMED TO BE SO SERIOUS BY THE ATTORNEY GENERAL AS TO WARRANT CONTINUED INVESTIGATION, OR POSSIBLE PROSECUTION; AND

"(B) THOSE CASES ALLEGING ACTS IN VIOLATION OF THE MILITARY SELECTIVE SERVICE ACT BY AGENTS, EMPLOYEES OR OFFICERS OF THE SELECTIVE SERVICE SYSTEM ARISING OUT OF SUCH EMPLOYMENT.  
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"3. ANY PERSON WHO IS OR MAY BE PRECLUDED FROM RE-ENTERING THE UNITED STATES UNDER 8 U.S.C. 1182(A)(22) OR UNDER ANY OTHER LAW, BY REASON OF HAVING COMMITTED OR APPARENTLY COMMITTED ANY VIOLATION OF THE MILITARY SELECTIVE SERVICE ACT SHALL BE PERMITTED AS ANY OTHER ALIEN TO REENTER THE UNITED STATES.

"THE ATTORNEY GENERAL IS DIRECTED TO EXERCISE HIS DISCRETION UNDER 8 U.S.C. 1182(D)(5) OR OTHER APPLICABLE LAW TO PERMIT THE REENTRY OF SUCH PERSONS UNDER THE SAME TERMS AND CONDITIONS AS ANY OTHER ALIEN.

"THIS SHALL NOT INCLUDE ANYONE WHO FALLS INTO THE EXCEPTIONS OF PARAGRAPHS 1 (A) AND (B) AND 2(A) AND (B) ABOVE.

"4. ANY INDIVIDUAL OFFERED CONDITIONAL CLEMENCY OR GRANTED A PARDON OR OTHER CLEMENCY UNDER EXECUTIVE ORDER 11803 OR PRESIDENTIAL PROCLAMATION 4313, DATED SEPTEMBER 16, 1974, SHALL RECEIVE THE FULL MEASURE OF RELIEF AFFORDED BY THIS PROGRAM IF THEY ARE OTHERWISE QUALIFIED UNDER THE TERMS OF THIS EXECUTIVE ORDER.

THE WHITE HOUSE,  
JANUARY 21, 1977."

4. PROCLAMATION APPLIES ONLY TO VIOLATIONS OF SELECTIVE SERVICE NOT INVOLVING CRIMES OF VIOLENCE ACT (E.G. FAILURE TO REGISTER, FAILURE TO REPORT CHANGE OF ADDRESS,

REPORT FOR PHYSICAL, REPORT FOR INDUCTION ETC); IT DOES  
NOT EXTEND TO VIOLATIONS OF THE UNIFORM CODE OF  
MILITARY JUSTICE E.G. TO DESERTION OR OTHER OFFENSES  
COMMITTED WHILE IN THE ARMED SERVICES AND PUNISHABLE  
UNDER UCM.J.  
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5. FURTHER INSTRUCTIONS WILL FOLLOW IF NECESSARY.  
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## Message Attributes

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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009